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Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-sixth session
Agenda item 22

DRAFT REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-SIXTH SESSION

Rapporteur: Mr. Osman El-Hajjé

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* E/CN.4/Sub.2/1994/L.10 and addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights, will be contained in documents E/CN.4/Sub.2/1994/L.11 and addenda.

GE.94-14391 (E)

XVI. DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Relocation of Navajo and Hopi families

10. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.49, sponsored by Mr. Bengoa, Ms. Chavez and Mr. Hatano.

11. A statement in connection with the draft resolution was made by Mr. Hatano.

12. The draft resolution was adopted without a vote.

13. For the text as adopted see chapter II, section A, resolution 1994/44.

Draft United Nations declaration on the rights of indigenous peoples

14. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.54/Rev.1, sponsored by Mr. Bengoa, Mr. Bossuyt, Mr. Chernichenko, Mrs. Daes, Mr. Eide, Mr. Guisseé, Mr. Hatano, Mr. Hakim, Mr. Khalil, Mr. Khan, Mr. Ramadhane, Ms. Warzazi and Mr. Yimer. Ms. Ferero Ucros and Mrs. Gwanmesia subsequently joined the sponsors.

15. Mrs. Daes proposed to revise the text as follows:

(a) Delete subparagraph (d) of operative paragraph 4;

(b) Delete subparagraph (e) of operative paragraph 4;

(c) In operative paragraph 5, delete, after the words "to participate" the word "fully".

16. The proposals were accepted by the other sponsors.

17. Statements relating to the draft resolution and revisions were made by Mr. Bengoa, Mr. Decaux, Mr. El-Hajjé, Ms. Ferriol Echevarria, Mr. Lindgren Alves, Ms. Warzazi and Mr. Yimer.

18. The draft resolution, as revised, was adopted without a vote.

19. For the text as adopted, see chapter II, section A, resolution 1994/45.

Discrimination against indigenous peoples

20. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.55/Rev.1, sponsored by Mr. Bengoa, Mr. Bossuyt, Mr. Chernichenko, Mrs. Daes, Mr. Eide, Ms. Ferero Ucros, Mr. Guissé, Mr. Hatano, Mr. Hakim, Mr. Khalil, Mr. Khan, Mr. Ramadhane, Ms. Warzazi and Mr. Yimer.

21. At the request of Mr. Lindgren Alves, Mrs. Daes proposed to delete in operative paragraph 5, after the words "between States and indigenous peoples,"

the words "the International Decade of the World's Indigenous People". The proposal was not accepted by the sponsors.

22. The draft resolution was adopted without a vote.

23. For the text as adopted, see chapter II, section A, resolution 1994/46.

Study on treaties, agreements and other constructive arrangements between States and indigenous populations

24. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft decision E/CN.4/Sub.2/1994/L.56, sponsored by Mrs. Daes. Mr. Bengoa, Mr. Guissé, Mrs. Gwanmesia and Mr. Hatano subsequently joined the sponsor.

25. The draft decision was adopted without a vote.

26. For the text as adopted, see chapter II, section B, decision 1994/116.

International Decade of the World's Indigenous People

27. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.57, sponsored by Mrs. Daes. Mr. Boutkevitch, Ms. Ferero Ucros, Mr. Guissé, Mrs. Gwanmesia, Ms. Warzazi and Mr. Yimer subsequently joined the sponsor.

28. The draft resolution was adopted without a vote.

29. For the text as adopted, see chapter II, section A, resolution 1994/47.

Permanent forum in the United Nations for indigenous people

30. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.58, sponsored by Mrs. Daes. Mr. Boutkevitch, Mr. Eide, Ms. Ferero Ucros, Mr. Guissé, Mrs. Gwanmesia, Ms. Palley, Ms. Warzazi and Mr. Yimer subsequently joined the sponsor.

31. At the request of Mr. Lindgren Alves, Mrs. Daes proposed to revise the third preambular paragraph by replacing the words "United Nations programmes" with "national programmes".

32. Ms. Palley proposed to revise the same paragrpah by deleting, at the end of the paragraph, the words "as stated in article 22 of the Rio Declaration on Environment and Development and in chapter 26 of Agenda 21."

33. Mr. Lindgren Alves and Ms. Palley subsequently withdrew their proposals.

34. Statements relating to the draft resolution and proposals were made by Mr. Bengoa, Mr. Decaux, Mr. Fan, Mr. Lindgren Alves and Ms. Palley.

35. The draft resolution was adopted without a vote.

36. For the text as adopted, see chapter II, section A, resolution 1994/50.

Protection of the heritage of indigenous people

37. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.59, sponsored by Mr. Bengoa, Mr. Bossuyt, Mr. Boutkevitch, Ms. Chavez, Mr. Chernichenko, Mrs. Koufa, Mr. Eide, Mr. Fan, Mr. Fix Zamudio, Ms. Ferero Ucros, Mr. Guissé, Mrs. Gwanmesia, Mr. Hatano, Mr. Hakim, Mr. Joinet, Mr. Khalil, Mr. Khan, Ms. Warzazi and Mr. Yimer.

38. At the proposal of Mr. Lindgren Alves, Mrs. Daes proposed to delete operative paragraph 2. The proposal was not accepted by the sponsors.

39. Ms. Warzazi proposed to revise operative paragraph 2 by replacing the word "Endorses" by the words "Takes note of". The proposal was accepted by the sponsors.

40. Ms. Attah proposed to delete, in operative paragraph 2, after the word "guidelines", the words "which will constitute, after their adoption by the General Assembly, the first formal step towards committing the United Nations system to the protection of the heritage of indigenous people". The proposal was accepted by the sponsors.

41. Statements relating to the draft resolution, revisions and amendments were made by Mrs. Daes, Mr. El-Hajjé, Mr. Lindgren Alves, Ms. Palley, Ms. Warzazi and Mr. Yimer.

42. The draft resolution, as revised, was adopted without a vote.

43. For the text as adopted, see chapter II, section A, resolution 1994/48.

Participation of indigenous persons and organizations in higher bodies of the United Nations

44. At the 36th meeting, on 26 August 1994, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1994/L.60, sponsored by Mr. Bengoa, Mr. Bossuyt, Mr. Boutkevitch, Mrs. Daes, Mr. Eide, Mr. Guissé, Mr. Hatano, Mr. Hakim, Mr. Khalil, Mr. Khan, Mr. Ramadhane, Ms. Warzazi and Mr. Yimer. Ms. Ferero Ucros subsequently joined the sponsors.

45. Ms. Ferriol Echevarria proposed to delete the third preambular paragraph. She subsequently withdrew her proposal.

46. The same proposal was made by Mr. Yimer. The proposal was accepted by the sponsors.

47. Ms. Palley proposed to amend the text as follows:

(a) Replace, in the operative paragraph, the word "at" by the word "during";

(b) Add, at the end of the title of the draft resolution the words "during discussion of the draft declaration on the rights of indigenous peoples".

48. The proposals were accepted by the sponsors.

49. Mrs. Daes proposed to revise the draft resolution by replacing, throughout the text, the word "higher" with the word "all". The proposal was not accepted by the other sponsors.

50. Statements relating to the draft resolution, revisions and amendments were made by Mrs. Daes, Mr. Decaux, Mr. Fan, Ms. Ferriol Echevarria, Mr. Khalil, Ms. Palley and Mr. Yimer.

51. The draft resolution, as revised and amended, was adopted without a vote.

52. For the text as adopted, see chapter II, section A, resolution 1994/49.

Conposition of the Working Group on Indigenous Populations

53. At its 37th meeting, on 26 August 1994, the Sub-Commission decided on the composition of its pre-sessional working groups that would meet prior to its forty-seventh session. For the composition of the Working Group on Indigenous Populations, see chapter II, section B, decision 1994/119.

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